

REMARKS

Claims 1-8 have been rejected under 35 USC 112, second paragraph. Claim 1 has been amended accordingly.

Claims 1 and 8 have been rejected under 102(b) as anticipated by Luzzi. The rejection is respectfully traversed.

Luzzi discloses a method for producing a switch or breaker pole with a drive opening 18 for introducing a drive movement, having a breaker with a switching housing 36 and a dimensionally stable sheath 10, where the breaker is fixed in the sheath such that the breaker housing and the sheath delimit an intermediate space that is filled with a fluid compensating compound, and the compensating compound is cured. The method for fabrication of this switch or breaker pole is described in col. 6, lines 15-40. According to the Luzzi, a first step places the reinforcing element 36 on an internal mandrel or core, and injects a mixture of elastomer and carbon into the mold around the reinforcing element and cores and curing under heat and pressure to form the insert. The second step is the transfer of the assembly to a second, different mold having the shape of the housing and executing a further molding process. With the second molding process, a permanent, void-free assemblage of the support element, insert dielectric elastomer housing and exterior support element is formed. Specifically, the breaker and the dimensionally stable sheath are not produced independently from one another, since there is the necessity to produce first the breaker, then mold the insert, and afterwards mold the housing 10 around the breaker and the insert. There is no possibility to produce the breakers and the housing independently from one another, since in Luzzi these steps have to be performed one after the other. In summary, with Luzzi, there are several steps necessary to produce the void free assemblage- in a first step the injection of the elastomer-carbon-mixture and curing of the mixture, and in a second step the molding process of the assembly in a further mold.

In the invention, on the other hand, the method for producing a breaker pole includes producing a breaker and a hosing independently form one another, fixing the breaker in the sheath

and providing the cushioning insert by filling the intermediate space between breaker and sheath with a fluid compensating compound and curing the compensation compound. This leads to a void-free insert and a void-free assembly of the breaker pole, as required by the claimed invention. With this method, the fabrication process is simplified and the costs are reduced. Additionally, it is not simply a matter of design choice to have a casting channel for filling. Providing a casting channel for filling of the compensating compound further reduces the necessary steps to achieve a void-free assemblage of the breaker pole to a minimum of manufacturing steps.

Since the recited method is not disclosed by the applied reference, claim 1 is patentable. Claims 1-8, depending either directly or indirectly from claim 1, are similarly patentable.

Claims 2-7 have been rejected under 35 USC 103(a) as unpatentable over Luzzi and/or Seki. The rejections are respectfully traversed for the same reasons presented in the arguments above.

In the event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 449122080500.

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